IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)

THURSDAY THE ELEVENTH DAY OF MARCH TWO THOUSAND AND FOUR
: PRESENT :
THE HON'BLE MRS.JUSTICE: **T.MEENA KUMARI**

W.P. Nos.11641, 11644 & 11645 of 1993

WP.No. 11641 of 1993:
Between:
Municipal Corporation of Hyderabad, rep. by the Commissioner, MCH Complex, Tank Bund, Hyderabad.

Petitioner

AND

1. State of Andhra Pradesh, rep. by Secretary to Government, Revenue Department, Secretariat Buildings, Hyderabad.
2. The Special Deputy Collector and Land Acquisition Officer, Unit-I, MCH, Tank Bund, Hyderabad.
3. Mr. T.Nerellu, S/o. T.Venkaiah, former Spl. Dy. Collector/Land Acquisition Officer, R/o. 10-3-761/44B, Vijayanagar Colony, Hyderabad.
4. Mr. B.Pawan, S/o. B.Visweswara Reddy, H.No. 1-1-254/1, Begumpet, Hyderabad.
5. Smt. B.Aruna Devi, W/o. B.Visweswara Reddy, R/o. H.No. 1-1-254/1, Begumpet, Hyderabad.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ order or direction, declaring the supplemental Award No.B1/93/85 dated. 30-6-1987 passed by the second respondent, Special Deputy Collector and Land Acquisition Officer, Unit-I, Municipal Corporation of Hyderabad, Hyderabad, a nullity and further direct the respondents 4 and 5 to refund the excess amounts paid pursuant to the said supplemental award.

WP.No. 11644 of 1993:
Between:
Municipal Corporation of Hyderabad, rep. by the Commissioner, MCH Complex, Tank Bund, Hyderabad.

Petitioner

AND

1. State of Andhra Pradesh, rep. by Secretary to Government, Revenue Department, Secretariat Buildings, Hyderabad.
2. The Special Deputy Collector and Land Acquisition Officer, Unit-I, MCH, Tank Bund, Hyderabad.
3. Mr. P.Suryanarayana, S/o P.Janardhan, Former Spl. Deputy Collector and Land Acquisition Officer, District Revenue Officer, Collectorate, Guntur, Guntur District.
4. Mr. B.Gopal Reddy, S/o. Vijay Reddy, R/o. 1-9-626, Bholakpur, Secunderabad.
5. Mr. B.Vijaya Reddy, S/o. Not known, R/o. 1-9-626, Bholakpur, Secunderabad.
6. Mr. B.Pawan, S/o. Visweswara Reddy, R/o. 1-11-254/1, Begumpet, Hyderabad.
7. Smt. B.Aruna Devi, W/o. Visweswara Reddy, R/o. H.No. 1-11-254/1,

Begumpet, Hyderabad.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ order or direction, declaring the supplemental Award No.B1/93/85 dated. 11-1-1989 passed by the second respondent, Special Deputy Collector and Land Acquisition Officer, Unit-I, Municipal Corporation of Hyderabad, a nullity and further direct the respondents 4 to 7 to refund the excess amounts paid pursuant to the said supplemental award.

WP.No.11645 of 1993:

Between:

Municipal Corporation of Hyderabad, rep. by the Commissioner, MCH Complex, Tank Bund, Hyderabad.

Petitioner

AND

1. State of Andhra Pradesh, rep. by Secretary to Government, Revenue Department, Secretariat Buildings, Hyderabad.
2. The Special Deputy Collector and Land Acquisition Officer, Unit-I, MCH, Tank Bund, Hyderabad.
3. Mr. P.Suryanarayana, S/o. Shri P.Janardhan Naik, Former Spl. Dy. Collector and Land Acquisition Officer, District Revenue Officer, Collectorate, Guntur, Guntur District.
4. Mr. B.Pawan, S/o. B.Visweswara Reddy, H.No. 1-11-254/1, Begumpet, Hyderabad.
5. Smt. B.Aruna Devi, W/o. Visweswara Reddy, H.No. 1-11-254/1, Begumpet, Hyderabad.

   Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ order or direction, declaring the supplemental Award No.B1/93/85 dated. 11-1-1989 passed by the second respondent, Special Deputy Collector and Land Acquisition Officer, Unit-I, Municipal Corporation of Hyderabad, a nullity and further direct the respondents 4 and 5 to refund the excess amounts paid pursuant to the said supplemental award.

These Petitions coming on for hearing upon perusing the petitions and affidavits filed herein and upon hearing the arguments of Mr. A.Veeraswamy, Advocate for the Petitioner in all the Petitions.

The Court made the following **ORDER:**

" When the matter came up for hearing, the learned counsel for the petitioner submitted that in pursuance of the direction by this court on 4-3-2004, notices have been sent to the respondents and the same have been served on all the respondents, except the respondents 4 & 5 in WP.No. 11644 of 1993. The learned counsel for the petitioner submits that a paper

publication was issued by substitute service on 22-11-99 in Deccan Chronicle news paper.

The learned counsel for the petitioner further argued that there is no need for a fresh notice. However, the learned counsel for the petitioner sought the liberty of this court to have substitute service to be printed in Deccan Chronicle, Hyderabad edition and requested two weeks time. Accordingly liberty is granted.

Post on 25-03-2004 as part-heard."

ASSISTANT REGISTRAR

// TRUE COPY //
for ASSISTANT REGISTRAR

To

1. The Commissioner, Municipal Corporation of Hyderabad, MCH Complex, Tank Bund, Hyderabad.
2. The Secretary to Government, Revenue Department, State of Andhra Pradesh, Secretariat Buildings, Hyderabad.
3. The Special Deputy Collector and Land Acquisition Officer, Unit-I, MCH, Tank Bund, Hyderabad.
4. Mr. T.Nerellu, S/o. T.Venkaiah, former Spl. Dy. Collector/Land Acquisition Officer, R/o. 10-3-761/44B, Vijayanagar Colony, Hyderabad.
5. Mr. B.Pawan, S/o. B.Visweswara Reddy, H.No. 1-11-254/1, Begumpet, Hyderabad.
6. Smt. B.Aruna Devi, W/o. B.Visweswara Reddy, R/o. H.No. 1-11-254/1, Begumpet, Hyderabad.
7. Mr. P.Suryanarayana, S/o P.Janardhan, Former Spl. Deputy Collector and Land Acquisition Officer, District Revenue Officer, Collectorate, Guntur, Guntur District.
8. Mr. B.Gopal Reddy, S/o. Vijay Reddy, R/o. 1-9-626, Bholakpur, Secunderabad.
9. Mr. B.Vijaya Reddy, S/o. Not known, R/o. 1-9-626, Bholakpur, Secunderabad.
10. One spare copy.

SAH